

Bureau of Waste Management  
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Robert Moser, MD, Secretary

Department of Health & Environment

Sam Brownback, Governor

March 21, 2012

Michael Crisenbery, CHMM  
Vice President, Environmental Compliance  
Clean Harbors Environmental Services, Inc.  
4879 Spring Grove Avenue  
Cincinnati, OH 45232

Re: Notification of Proposed Administrative Order; December 14, 2011 Compliance Inspection  
Clean Harbors Kansas, LLC, Wichita, KS; EPA Identification Number: KSD 007 246 846

Dear Mr. Crisenbery:

The Kansas Department of Health and Environment (KDHE) Bureau of Waste Management (BWM) has reviewed the information you provided during the March 15, 2012 meeting. Based on the information provided during and subsequent to the meeting, KDHE will not be making any adjustments to your penalty. Therefore the final penalty remains at \$5,000.

As we discussed during the meeting, KDHE is offering the following options for your consideration.

1. Enter into a consent agreement with KDHE agreeing to pay the calculated penalty amount without the issuance of an administrative order and with a waiver of the Kansas Administrative Procedure Act (see K.S.A. 77-501 et seq.) and its appeal rights; or
2. KDHE issuance of an administrative order with a hearing procedure pursuant to the Kansas Administrative Procedure Act and its appeal rights.

If you would like to propose a payment option as discussed in our Enforcement Settlement Policy, please submit your request in writing. Please submit a written response to me on or before **April 6, 2012** of how you would like to proceed in this matter. If you have questions regarding this letter please call me at 785-296-1604 or e-mail at [rwenner@kdheks.gov](mailto:rwenner@kdheks.gov).

Sincerely,

Rebecca Wenner  
Compliance and Enforcement Unit Chief  
Bureau of Waste Management

e: Jim Rudeen, BWM;  
Stephanie Fackrell, BWM;  
Mostafa Kamal, BWM;  
Allison Herring, SCDO

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